

REMARKS

Claims 61-73 remain pending in the application. Claims 62-64, 71 and 73 have been amended. No new matter is added.

CLAIM REJECTIONS UNDER 35 U.S.C. § 112, FIRST PARAGRAPH

In the Office Action, claim 73 was rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner stated that the recitation “wherein the source of the message being one of a plurality of sources, at least two of the plurality of sources being correspondingly associated with at least two of the plurality of virtual light sources” was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor had possession of the claimed invention at the time the application was filed.

While Applicant respectfully disagrees with this rejection, Applicant has amended claim 73 to clarify the recitation. Amended claim 73 now recites, in part:

a processor unit coupled to the transceiver and touch-screen display, wherein the processor unit is configured to

cause a light unit to light a first virtual key selected from a plurality of virtual keys of the touch-screen display to indicate receipt of a message from a first source, the first source being the only one of a plurality of sources to be associated with said first virtual key, wherein the lighted first virtual key manifests an appearance of being illuminated, and

cause a light unit to light a second virtual key selected from a plurality of virtual keys of the touch-screen display to indicate receipt of a message from a second source, the second source being the only one of the plurality of sources to be associated with said second virtual key, wherein the lighted second virtual key manifests an appearance of being illuminated.

The recitation is supported by the specification. Page 9, lines 9-19, discloses associating preselected mobile device keys with entries or contacts in a contact list. This section also

discloses that the device can be configured to allow the user to select the association of contacts to keys. In an example, Applicant recites that a user can associate up to ten contacts to the numeric keys of the keypad with each contact assigned to a different key. Next, on page 19, lines 9-26 and page 20, lines 1-4, Applicant recites an embodiment in which each key has at least one LED mounted below it, and gives an example in which keys are illuminated to indicate receipt of messages from the contacts associated with those keys. Applicant further discloses on page 20, lines 19-25, that a touch-screen can be used to display a virtual keypad with light functions that can be performed by changing the shade or color of one or more virtual keys. Together, these disclosures would reasonably convey to one skilled in the art that Applicant had possession of the claim 73 recitation as amended. Thus, Applicant respectfully requests reconsideration of this rejection.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103

In the Office Action, claims 73 and 62-63 were rejected under 35 U.S.C. § 103 (a) in view of U.S. Patent 6,959,207 to Keinonen (hereinafter “Keinonen”) and U.S. Patent 6,320,947 to Tyroler et al (hereinafter “Tyroler”).

When viewed properly as a whole, amended claim 73 teaches a mobile device configured to identify the source of a received message by lighting an actual or virtual key associated exclusively with that source. Amended claim 1 clarifies that a key is assigned to a single source.

In the Office Action, the Examiner cited Tyroler as teaching or suggesting the recitations of claim 73 discussed on pages 5-6 of this reply. However, Applicant respectfully disagrees that Tyroler teaches or even suggests this feature, either alone or in combination with Keinonen.

Tyroler teaches a device configured to check for e-mail messages and to indicate, by activating one of three lights, whether the received message is of high, medium or low priority. In the passage cited by the examiner, Tyroler recites *prioritizing messages according to sender*, depending on whether the sender is included in a list of senders considered by the user to be very important (activating a “high priority” light), somewhat lower priority, or the lowest priority. In other words, the activation of the “high priority” light would merely indicate the receipt of a message that might be from any of the senders on the high priority list.

In contrast, Applicant teaches a device that identifies the individual sender of the message by associating that sender with a virtual key of a mobile communication device and lighting that key upon receipt of a message from that sender. Tyroler fails to teach or even suggest “the first source being the only one of a plurality of sources to be associated with said first virtual key” or “the second source being the only one of the plurality of sources to be associated with said second virtual key.” Keinonen cannot remedy this deficiency.

Moreover, a person having ordinary skill in the art would have no motivation to modify the message priority system of Tyroler to achieve what is recited in claim 73. The purpose of Tyroler is to indicate that a message has been received, and to indicate whether that message is of high, medium or low priority – incorporating that feature of Tyroler into mobile emotional notification system of Keinonen would not produce the Applicant’s invention. Thus, Applicant respectfully submits that amended claim 73 is patentable over Keinonen in view of Tyroler.

Claims 61-72 depend from claim 73, incorporating its recitations. Thus, for at least the same reasons, claims 61-72 are also patentable over Keinonen in view of Tyroler. Applicant respectfully requests reconsideration and allowance of these claims.

CONCLUSION

In view of the foregoing, reconsideration and allowance of claims 61-73 are solicited. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1513. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge the Deposit Account of Schwabe, Williamson and Wyatt, P.C., No. 50-0393.

Respectfully submitted,
SCHWABE, WILLIAMSON & WYATT, P.C.

Date: October 14, 2008

by: /Al AuYeung/
Al AuYeung
Reg. No.: 35,432

SCHWABE, WILLIAMSON & WYATT, P.C.
U.S. Bank Centre
1420 5th, Suite 3010
Seattle, Washington 98101
Telephone: 206-622-1711